

misstatements may actually have been intentional lies.

INVESTIGATING THE IRAQI WAR INTELLIGENCE REPORTS

Even now, while the jury is still out as to whether intentional misconduct occurred, the President has a serious credibility problem. Newsweek magazine posed the key questions: "If America has entered a new age of pre-emption—when it must strike first because it cannot afford to find out later if terrorists possess nuclear or biological weapons—exact intelligence is critical. How will the United States take out a mad despot or a nuclear bomb hidden in a cave if the CIA can't say for sure where they are? And how will Bush be able to maintain support at home and abroad?"

In an apparent attempt to bolster the President's credibility, and his own, Secretary Rumsfeld himself has now called for a Defense Department investigation into what went wrong with the pre-war intelligence. New York Times columnist Maureen Dowd finds this effort about on par with O.J.'s looking for his wife's killer. But there may be a difference: Unless the members of the Administration can find someone else to blame—informants, surveillance technology, lower-level personnel, you name it—they may not escape fault themselves.

Congressional committees are also looking into the pre-war intelligence collection and evaluation. Senator John Warner (R-VA), chairman of the Senate Armed Services Committee, said his committee and the Senate Intelligence Committee would jointly investigate the situation. And the House Permanent Select Committee on Intelligence plans an investigation.

These investigations are certainly appropriate, for there is potent evidence of either a colossal intelligence failure or misconduct—and either would be a serious problem. When the best case scenario seems to be mere incompetence, investigations certainly need to be made.

Senator Bob Graham—a former chairman of the Senate Intelligence Committee—told CNN's Aaron Brown, that while he still hopes they find WMDs or at least evidence thereof, he has also contemplated three other possible alternative scenarios: "One is that [the WMDs] were spirited out of Iraq, which maybe is the worst of all possibilities, because now the very thing that we were trying to avoid, proliferation of weapons of mass destruction, could be in the hands of dozens of groups. Second, that we had bad intelligence. Or third, that the intelligence was satisfactory but that it was manipulated, so as just to present to the American people and to the world those things that made the case for the necessity of war against Iraq."

Senator Graham seems to believe there is a serious chance that it is the final scenario that reflects reality. Indeed, Graham told CNN "there's been a pattern of manipulation by this administration."

Graham has good reason to complain. According to the New York Times, he was one of the few members of the Senate who saw the national intelligence estimate that was the basis for Bush's decisions. After reviewing it, Senator Graham requested that the Bush Administration declassify the information before the Senate voted on the Administration's resolution requesting use of the military in Iraq.

But rather than do so, CIA Director Tenet merely sent Graham a letter discussing the findings. Graham then complained that Tenet's letter only addressed "findings that supported the administration's position on Iraq," and ignored information that raised questions about intelligence. In short,

Graham suggested that the Administration, by cherry-picking only evidence to its own liking, had manipulated the information to support its conclusion.

Recent statements by one of the high-level officials privy to the decisionmaking process that lead to the Iraqi war also strongly suggests manipulation, if not misuse of the intelligence agencies. Deputy Secretary of Defense Paul Wolfowitz, during an interview with Sam Tannenhaus of Vanity Fair magazine, said: "The truth is that for reasons that have a lot to do with the U.S. government bureaucracy we settled on the one issue that everyone could agree on which was weapons of mass destruction as the core reason." More recently, Wolfowitz added what most have believed all along, that the reason we went after Iraq is that "[t]he country swims on a sea of oil."

WORSE THAN WATERGATE? A POTENTIAL HUGE SCANDAL IF WMDs ARE STILL MISSING

Krugman is right to suggest a possible comparison to Watergate. In the three decades since Watergate, this is the first potential scandal I have seen that could make Watergate pale by comparison. If the Bush Administration intentionally manipulated or misrepresented intelligence to get Congress to authorize, and the public to support, military action to take control of Iraq, then that would be a monstrous misdeed.

As I remarked in an earlier column, this Administration may be due for a scandal. While Bush narrowly escaped being dragged into Enron, it was not, in any event, his doing. But the war in Iraq is all Bush's doing, and it is appropriate that he be held accountable.

To put it bluntly, if Bush has taken Congress and the nation into war based on bogus information, he is cooked. Manipulation or deliberate misuse of national security intelligence data, if proven, could be "a high crime" under the Constitution's impeachment clause. It would also be a violation of federal criminal law, including the broad federal anti-conspiracy statute, which renders it a felony "to defraud the United States, or any agency thereof in any manner or for any purpose."

It's important to recall that when Richard Nixon resigned, he was about to be impeached by the House of Representatives for misusing the CIA and FBI. After Watergate, all presidents are on notice that manipulating or misusing any agency of the executive branch improperly is a serious abuse of presidential power.

Nixon claimed that his misuses of the federal agencies for his political purposes were in the interest of national security. The same kind of thinking might lead a President to manipulate and misuse national security agencies or their intelligence to create a phony reason to lead the nation into a politically desirable war. Let us hope that is not the case.

The SPEAKER pro tempore (Mr. BURGESS). Under a previous order of the House, the gentleman from Ohio (Mr. STRICKLAND) is recognized for 5 minutes.

(Mr. STRICKLAND addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CONTROVERSY INVOLVING TEXAS LEGISLATURE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. LAMPSON) is recognized for 5 minutes.

Mr. LAMPSON. Mr. Speaker, I find it a little astounding that I come here to

ask the question of what is happening to our government. Why are our fellow citizens withholding information from us, even from Members of Congress? Why are some of the agencies that are designed to help us seemingly working against us? It is all our government.

I am a little bit astounded at having to come here and again tell the story about what happened when the Texas legislature ran amuck, when members of that legislative body began to respond to actions there that have been reflective of what the United States House of Representatives has been, very divisive, very unfortunate, where people get to the point where they feel like they are not allowed to be a part of the process and they have to rebel against the system by looking for parliamentary procedure to try to send their point or make their point or get their message out. Fifty-five brave men and women allowed their backs to be pushed up against the wall for months and finally could take it no more and broke the quorum of the Texas legislature to stop that from happening there. And then, lo and behold, what happened following it started all sorts of things to happen that include Federal agencies becoming involved in investigations to look for missing Texas legislators.

The people of this country ought to be outraged that Federal agencies designed to protect us, designed to do good for us, were called into a political fray in the State of Texas, and since that time Members of Congress have asked repeatedly of the Department of Homeland Security, the Justice Department, and the transportation agency for information that would give us a better understanding of who played what role in this Federal Government being involved in an issue that was a political one in the State of Texas and finding funds that we know are already very short for us. We do not know how we are going to be paying for all of the many, many needs that our homeland security faces. We are very short-funded as it is.

Yet we could find the money, the time, the effort, the personnel, the equipment to track an airplane across the country of a member, a little cotton farmer out in west Texas who was going off to Ardmore, Oklahoma, and stopped off to see his mother. If he had not done that, they would have probably found him. To have agencies respond in the way that they have, there is something wrong with this picture. The people of this country truly ought to be outraged.

It has been over 3 weeks now since we began to ask formally of these agencies, give us the information that you have, show us surveillance tapes, give us tapes of phone messages. Even the Director of Homeland Security indicated that it was a potential criminal investigation that is going on and that was the excuse for not turning over some of this information at the time.

Ladies and gentlemen, it is time for us as a body, as a Congress, to stop this

kind of action in the United States of America, whether it happens to Texas or Louisiana or Michigan or any other State in this Nation, and we truly ought to be outraged and stand up and say we are not going to stand for that secrecy anymore. Let the agencies that exist as a part of our government give us the information that we need to know that our government is working in our behalf and not working against us; that we are not having some kind of a political soiree in this country that is going to allow power to be held by a few at the expense of so very, very many.

We even had destroyed documents over time. What is there to hide? If there is nothing on the tapes that is incriminating to anyone, then make it public and let us see them. If there is something there, as certainly the indication is starting to be—why else is there a cover-up—then perhaps there may be criminal activity. Something is wrong with this picture and something is going wrong with our government. It is time for us to begin to ask the questions and demand the answers from all of the agencies that can tell the citizens of this country that we are not going to be living in a police state, that we are going to be able to all participate in making the policy of this Nation and the policy of our States, and that we are not going to have to fight our way through the darkness of night in order to play the role that we so rightly deserve.

TEXAS LEGISLATIVE CONTROVERSY AND POSSIBLE FEDERAL INVOLVEMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. SANDLIN) is recognized for 5 minutes.

Mr. SANDLIN. Mr. Speaker, we are calling today on Secretary Ridge to uncover the cover-up. What have you got to hide?

On May 11, 2003, Mr. Speaker, a number of Democratic members of the Texas House of Representatives absented themselves from the floor of the State House in Austin, Texas, in a proper procedural move to defeat a quorum in that body. Subsequently, on that same date, the Speaker of the Texas House of Representatives, Tom Craddick, ordered the Texas Department of Public Safety, the troopers, to locate the absent legislators and return them to the capitol. The DPS thereupon took steps to locate the lawmakers and contacted the U.S. Department of Homeland Security, charged with defeating terrorism, and asked for Federal assistance. They have now had to admit and acknowledge that they contacted the Air and Marine Interdiction Coordination Center, a department within DHS, seeking information; and they acknowledge they used Federal resources to respond to this request in spite of the fact that it is a State political matter. In fact, in vio-

lation of the law, a criminal tracking system was used. The Department of Homeland Security has now admitted that the department has in its possession certain audiotapes, transcripts, and other documents concerning its contacts with Texas DPS officials. In spite of this admission, the department has failed and refused and still fails and refuses to release this information.

Disturbingly, Mr. Speaker, now the Secretary of Homeland Defense has admitted that there is an ongoing criminal investigation into this matter. But it only gets worse. Now we learn the FBI has been involved. Initially the FBI denied involvement. Now they have admitted otherwise. On May 13, the Houston Chronicle reported, "Spokesmen for the Justice Department and the FBI indicated those agencies likely would have no reason to assist the State officers in apprehending the Democrats." On that same date, "A Justice spokesman said Tuesday he knew of no role for the department." Later on that date, "FBI spokesman Bill Carter said he was unaware of any request for that agency to assist. 'I don't know of any authority that would allow us to even contemplate getting involved.'"

But, Mr. Speaker, the story begins to change. A couple of days later, on June 5, the FBI denied participation but they did not know what was about to come out, because State Representative Juan Manuel Escobar reported he got a cellular phone call from Corpus Christi-based FBI Special Agent David Troutman asking whether State Representative Gabi Canales was with him.

"The FBI was conducting no surveillance at all," said Special Agent Bob Doguim. But listen. He said, "I'm not saying no call took place." Later they said, "An FBI spokesman said agency action was nothing really uncommon." Dallas Morning News, June 6.

Yesterday, Mr. Speaker, we learned that phone records for Deputy Attorney General Jay Kimbrough show a 5 minute 16 second phone call at 4:24 p.m. May 12 to an Ardmore, Oklahoma, FBI office. That is after State officials learned that the Federal Aviation Administration had tracked the plane of one of the missing lawmakers. A half hour later the records show a return phone call, 2 minutes 16 seconds, from the FBI office to Mr. Kimbrough. Mr. Kimbrough is head of Homeland Security in Texas. After the FBI saying they had nothing to do with it, now we have got the phone records. Now we are getting to the truth.

Additionally, at the State level, on May 14, the Texas DPS ordered the destruction of all notes, photos, correspondence and other records relating to the members of the House of Representatives and the order specifically contained the words "retain no copies."

In brief, it is our position that any effort to use Federal law enforcement or Homeland Security resources to participate in a State political matter is

improper and illegal. Further, the destruction of records by DPS, which limits the ability to determine the extent of Federal involvement, coupled with the refusal by the Department of Homeland Security and Tom Ridge to produce its records, are matters of great concern.

Mr. Ridge, stop the cover-up. Release the information. We want full and complete audiotapes of all conversation, full and complete copies of all communications, tapes, videotapes, recordings, letters, notes, documents, schedules, summaries, indices, written records of every sort, full and complete copies of all communications, full and complete original files, full and complete records of telephone calls and contacts, full and complete records of any and all persons, Federal officials, State officials, law enforcement personnel, agencies or entities that have contacted or been contacted by Homeland Security.

Mr. Ridge should be advised further that the U.S. Congress may request the production of additional information as a result of his testimony. We will expect him to acknowledge under oath that no records have been altered, deleted, destroyed, redacted or otherwise withheld in whole or in part. It is critical that we request a subpoena and a subpoena duces tecum be issued forthwith and this information be brought before the United States Congress.

The Department of Public Safety destroyed records. Homeland Security has admitted to possessing and withholding audiotapes and other information. They have now admitted that a criminal investigation is ongoing. The FBI claimed to be not involved in any way. Now we learn of telephone calls to and from the FBI.

Mr. Speaker, is this just what we might call another third-rate burglary? Mr. Ridge, stop the cover-up. Release the information. Come clean with the United States Congress and the American public.

ANOTHER TERRORIST ATTACK IN JERUSALEM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mrs. CAPPS) is recognized for 5 minutes.

Mrs. CAPPS. Mr. Speaker, the news from Jerusalem today is horrifying. Another terrorist attack on a civilian bus. So many dead. Many more are injured and even more are bereaved. Today's atrocity follows and may have been in response to an attack yesterday on a Hamas leader in Gaza which injured its target but killed innocent victims. When will this cycle of violence end? Not even a week has passed since the President received the commitment of Ariel Sharon and Abu Mazen to do everything in their power to stop the killing and pursue the path of negotiations. Instead, we have terrorist attacks, attempted assassinations, horrific retaliations and more